

Application No.: 10/524,335
Amendment Dated: January 24, 2006
Reply to Office Action of: November 3, 2005

MAT-8666US

Remarks/Arguments:

Claims 1-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai (JP 05-116571) in view of Yang (U.S. Patent No. 5,339,017). It is respectfully submitted, however, that these claims are patentable over the art of record for the reasons set forth below.

Sakai discloses a device for starting a vehicle. Sakai includes capacitor charging sensor 41. When the engine cannot be started, capacitor 4 is charged and is used to help start starter 3.

Sakai has been combined with Yang. Yang discloses a battery charged monitor. Figure 2 of Yang illustrates a LED array. The LED array measures battery currents.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

... a detection unit ... measures an internal capacitance value of the capacitor unit from a rate of change of voltage per unit time of the capacitor unit ...

Thus, claim 1 recites the ability to measure voltage change over time. Yang is very different. Yang discloses a LED array which can measure current, not voltage. In addition, Yang's LED array is measuring current at a specific time. This is in contrast with Applicants' claim 1 which measures a rate of change of voltage per unit time. Accordingly, claim 1 is patentable over the art of record.

Claims 2-10 have also been rejected under 35 U.S.C. § 103(a). The Official Action, however, does not provide any reasons why claims 2-10 have been rejected. Accordingly, it is presumed that claim 2-10 include allowable subject matter. Official notification to this effect is respectfully requested.

In view of the amendments and arguments set forth above, the above-

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identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,


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Dated: January 24, 2006

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